

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Robert A. MacDonald  
Robert J. Race

Attorney Docket: KEY1019US

Serial No.: 09/312,352



Group Art Unit: 3672

Filed: May 14, 1999

For: RETAINING WALL BLOCK

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**RESPONSE TO NOTICE TO FILE MISSING PARTS**

**BOX MISSING PARTS**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In response to the Notice to File Missing Parts of Application--Filing Date Granted dated June 8, 1999, enclosed are a Combined Declaration for Patent Application and Power of Attorney and a check in the amount of \$890.00 to cover the filing fee (\$790.00) and surcharge fee (\$130.00). The Commissioner is hereby authorized to charge any underpayment or credit any overpayment of filing fees required under 37 C.F.R. § 1.16 to Deposit Account No. 16-2312.

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**Certificate of Mailing/Transmission (37 C.F.R. § 1.10)**

I hereby certify that this paper or fee is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" Mailing Label No. EL136483152US and is addressed to Assistant Commissioner for Patents, Washington, D.C. 20231

Date:

June 23, 1999

Signature:

Jodi Jung

Name: Jodi Jung

Response to Notice to File Missing Parts  
Applicants: Robert A. MacDonald et al.  
Serial Number: 09/312,352

Attorney Docket: KEY1019US

A copy of the Notice to File Missing Parts of Application--Filing Date  
Granted and a duplicate copy of this response are enclosed.

Respectfully submitted,

Dated: 6/23/99

By 

Terry L. Wiles (29,989)  
Miriam G. Simmons (34,727)  
POPOVICH & WILES, PA  
IDS Center, Suite 1902  
80 South 8th Street  
Minneapolis, MN 55402  
Telephone: (612) 334-8989  
Representatives of Applicants



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/312,352 05/14/99 MACDONALD R KEY1019US

0262/0608

TERRY L WILES  
POPOVICH & WILES PA  
SUITE 1902 IDS CENTER  
80 SOUTH 8TH STREET  
MINNEAPOLIS MN 55402-2111

NOT ASSIGNED

3672

DATE MAILED:

06/08/99

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 890.

- ☒ 1. The statutory basic filing fee is:  
☒ missing.  
☐ insufficient.  
Applicant must submit \$ 760 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- ☐ 2. The following additional claims fees are due:  
\$ \_\_\_\_\_ for \_\_\_\_\_ total claims over 20.  
\$ \_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.  
\$ \_\_\_\_\_ for multiple dependent claim surcharge.  
Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The oath or declaration:  
☒ is missing or unsigned.  
☐ does not cover the newly submitted items.  
An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.  
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).  
☐ 7. Your filing receipt was mailed in error because your check was returned without payment.  
☐ 8. The application was filed in a language other than English.  
Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

- ☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.** 9/8/99

P. Walker  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

10/8/99  
11/8/99

12/8/99  
01 FC:101  
02 FC:105

Det QB

*Section 1*  
*#3*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Robert A. MacDonald  
Robert J. Race

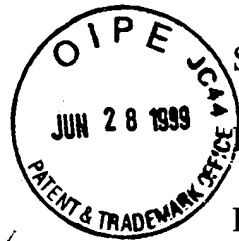
Attorney Docket: KEY1019US

Serial No.: 09/312,352

Group Art Unit: 3672

Filed: May 14, 1999

For: RETAINING WALL BLOCK



**TRANSMITTAL LETTER**

BOX MISSING PARTS  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Transmitted herewith are the following:

1. Response to Notice to File Missing Parts (2 pages);
2. Copy of Notice to File Missing Parts (1 page);
3. Combined Declaration for Patent Application and Power of Attorney (signed) (4 pages);
4. Check in the amount of \$890.00 to cover the filing fee (\$760.00) and surcharge fee (\$130.00).

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**Certificate of Mailing/Transmission (37 C.F.R. § 1.8(a))**

I hereby certify that the document is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on

Date:

June 23, 1999

Signature:

Jodi Jung

Name: Jodi Jung

Transmittal Letter

Applicants: Robert A. MacDonald et al.

Serial Number: 09/312,352

Attorney Docket: KEY1019US

Please charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 16-2312. A duplicate copy of this transmittal letter is attached.

Respectfully submitted,

Dated: 6/23/99

By Terry L. Wiles

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